

## A DISCUSSION ON RECREATIONAL, WILDLIFE AND FISHERIES RESOURCES

Highlights prepared May 9, 2005 - AAP

### PURPOSE OF DISCUSSION

How do viewpoints expressed by our speaker influence the Commission's thoughts about the jurisdiction's recreational resources, particularly related to motorized recreation, the current and future outlook for the traditional sportsman, and the wildlife and fisheries resources in the North Woods? Are the 1997 CLUP goals and policies for recreational, fisheries and wildlife resources in line with the challenges facing these resources?

### SPEAKER: PAUL JACQUES, DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

Paul Jacques, Deputy Commissioner of the Department of Inland Fisheries and Wildlife, shared with the Commission his thoughts and experiences on some of the major issues facing the Department of Inland Fisheries and Wildlife: All-terrain vehicles, deer yard management, issues surrounding changing land ownership, remote ponds, Maine heritage brook trout designation, and management of non-game species.

#### All-Terrain Vehicles

Issues surrounding all-terrain vehicles (ATVs) have recently become a hot topic in Maine. In 1996, the state had about 15,000 all-terrain vehicles registered. Today, over 65,000 ATV's are registered. This pastime is the fastest growing mechanical outdoor sport in Maine. The sport is likely to overtake snowmobiles due to the ATV's nearly year-round operation, but this high-growth industry is clearly in need of management.

About a year ago, IFW adopted a policy to address ATV usage on the roughly 120,000 acres of the department's state owned lands. The department identified areas within the ownership that should be protected and areas that can reasonably accommodate ATV usage, and is directing ATV use toward appropriate areas. IFW emulated much of what the snowmobile groups have done to create its ATV policy. IFW does not support banning any recreational opportunity, but rather supports helping such opportunities grow in the right direction.

It is likely that there will be some pressure to accommodate ATV usage on other state-owned lands. There is an opportunity for LURC to help other state agencies direct ATV activities to appropriate places, and work with landowners to develop ATV management plans. Any such plans ought to provide enough flexibility to encourage wide responsible use of ATVs while discouraging usage in sensitive areas.

Regarding impacts of ATVs, IFW envisions creating a mitigation fund so that if environmental damage is caused by ATV usage, the first response is to fix the problem. Once the on-site problem is fixed, the focus would then shift to finding those responsible. The evolution of the ATV industry will come about via cultural as much as regulatory enforcement, similar to the evolution of the snowmobile clubs.

#### Deer Yard Management and Changing Land Ownership

IFW has serious concerns about the cooperative deer yard management agreements that were entered into between the department and landowners in recent years. With the significant changeover in land ownership, most new owners are either reluctant or outright refuse to honor many of those agreements. This is largely because the new ownership's principal purpose is no longer to provide fiber to the paper mills, but rather to maximize returns on investment.

Traditionally, most landowners managed woodlands to provide fiber to the mills. That management style was fairly conducive to wildlife management. Even the use of clear cutting, for instance, provided important habitat for the moose and black bear populations. In general, paper mills did a good job managing wildlife. At one time, most of us also knew the owners of the large land holdings in the state, making it easy to call up a land owner and work out a mutually beneficial solution.

Today, much of the ownership is looking for an 8-10% return on investment and, as a result, is searching for different land management opportunities, including subdivisions and developments on lakes and ponds. With direction now coming more and more frequently from out of state or out of the country, working out agreements is becoming increasingly difficult. As such land

changes occur, there will be increased pressure on IFW to work with and educate new land owners on impacts of their decisions on fisheries and wildlife resources. Both IFW and LURC will need to take on the new responsibility of ensuring that such land ownership changes recognize fisheries and wildlife resources.

At present, IFW is struggling with deciding whether to go back to managing deer yards through protective zoning (via the LURC process) or to continue pursuing cooperative agreements. It is an issue which IFW will need to collaborate on with LURC.

### **Remote Ponds and Maine Heritage Brook Trout**

Remote pond management is an issue that IFW has made many attempts to tackle in the past. One of the biggest challenges for IFW related to remote ponds is enforcement of existing laws. With the recent creation of Commissioner Bucky Owen's group (who is involved in evaluating the remote ponds regulatory framework and eventually making recommendations and taking action to update the protection of remote ponds), the department has indicated that it wants to be involved in and provide help with this group's initiatives.

The Sportsman's Alliance of Maine (SAM) recently submitted a bill to the legislature to designate the brook trout as Maine's heritage fish. A heritage species is of such important and unique historic value that it affords a level of protection much like designation of the bald eagle as the national bird. Designation of the brook trout as a heritage fish would be the first step toward providing increased protection to the species via various subsequent regulatory initiatives. Presumably, LURC would eventually be involved in the cascading effects of this declaration.

As a result of this initiative, IFW has been working to create a list of "wild" or "native" brook trout ponds in the state. The number of wild brook trout ponds in the state has declined from 3,000+ to about 295 over the course of modern history as a result of a variety of events (including the loss of habitat due to land use activities, spawning habitat destruction, acid rain, too much development, poorly done development, logging operations, introduction of invasive species, as well as many unknown and cumulative effects of all these events). However, even with this dramatic decline, Maine today still has more unstocked ponds than any other state. About 25 years ago, there was an estimate that the state had about 435 unstocked ponds, indicating roughly the number of wild brook trout ponds in the state. Of those, IFW has now identified 295 ponds that, to the best of available information, have never been stocked (the list of 400+ ponds includes places that have been stocked a handful of times perhaps 50+ years ago). SAM is asking the legislature that these remaining wild ponds never be stocked without legislative approval.

If the legislature agrees to designate the brook trout as Maine's heritage fish and adopts a list of "wild" ponds, it will force IFW and other agencies to look at the history of many of these ponds (including some that are designated currently as remote ponds) and to consider changes to increase protection to the species and its habitat. It is possible that during that review some of these ponds will no longer technically qualify as wild or remote ponds. However, these ponds may have many non-fishery values that also deserve protection. Certainly, this will open up a new era of understanding and new regulation of Maine's wild and remote ponds.

### **Non-Game Species Management**

It used to be that non-game, non-consumptive species were viewed by IFW very separately from game species. About a year ago, IFW began to integrate its management plans for game species with non-game species. This step is the development of a comprehensive ecological wildlife conservation strategy for the state – the issue is not whether it's a game or non-game species, but rather whether the species deserves protection.

The problem with non-game species management has much to do with funding – historically, there has been no guaranteed basis of funding for the endangered and non-game species within the department (various initiatives such as the chickadee check-off, outdoor heritage lottery system, etc., have had only short-term success). This year, however, is the first year that IFW has received money from the general fund for non-game species management. IFW recently partnered with Maine Audubon and will host a series of statewide forums to discuss non-game species issues this year.